

VIRGINIA

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

BALA JAIN, LLC,

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Plaintiff,

)

v.

)

Case No.: CL-2022-0009687

**EAGLE PROPERTIES AND INVESTMENTS
LLC, ET AL.,**

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Defendants.

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NOTICE AND MEMORANDUM OF LIS PENDENS

STATE OF VIRGINIA
COUNTY OF FAIRFAX

TO THE CLERK OF THE CIRCUIT COURT OF SAID COUNTY:

You are hereby notified that on the 18th day of July, 2022, suit was instituted by the undersigned in the above captioned and styled cause in the Circuit Court of Fairfax County, Virginia, and that the following are all the names of the parties to said suit:

| Name of Plaintiff | Name of Defendant | Kind of Suit |
|---|---|--|
| Bala Jain, LLC 6007 Marilyn Drive Alexandria, Virginia 22310 | EAGLE PROPERTIES AND INVESTMENTS LLC 445 Windover Avenue Vienna, Virginia 22180 Serve: Monika Jain, Managing Member 445 Windover Avenue Vienna, VA 22180 | The lawsuit alleges that one or more of the Defendants used money it borrowed from Bala Jain, LLC to acquire, improve, and/or develop the subject Property. The lawsuit alleges that the Defendants engaged in fraud, conspiracy to commit fraud, breach of contract, and seeks a declaratory judgment and |

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| | | injunctive relief establishing a constructive trust against this Property; and such other relief as may be necessary to protect and prepare Bala Jain, LLC's interest in the Property. |
| | MONIKA JAIN 445 Windover Avenue Vienna, VA 22180 | |
| | AMIT JAIN 445 Windover Avenue Vienna, VA 22180 | |
| | FIRST CLASS TITLE, INC. 1803 Research Blvd, Suite 512 Rockville, Maryland 20850 Serve: Robert Kotz 11505 Hemingway Drive Reston, Virginia 20194 | |
| | Daniel Kotz, Esq. 1803 Research Blvd #512 Rockville, MD 20850 | |

The following described real estate located at 449 Lawyers Rd., Vienna, VA 22180, Tax Map # 0381 06 0097, Book 25250 and Page 0620 of Fairfax County, and situated in Fairfax County, Virginia (the "Property") is involved in said suit, to-wit:

Lot Ninety-Seven (97) and part of Lot Ninety-Six (96), Section Two (2),
VIENNA HILLS, and a Resubdivision of Out Lot of a Resubdivision of Lots 10,
11 and 12, and Out Lot of Section One, Vienna Hills, Town of Vienna, Fairfax
Country, Virginia, as the same appears duly dedicated, platted and recorded in
Deed Book 1235 at Page 357, among the Fairfax County, Virginia, Land Records;
the description of the portion of Lot 96 thereby conveyed being described as
follows:

BEGINNING at a point on the Southeasterly line of Upham Place, a corner to Lots 96 and 97, Section 2, VIENNA HILLS; thence with the said line of Upham Place, N. 33 degrees 38' 57" E. 10.00 feet to a point; thence through the said lot 96, S. 54 degrees 14' 23" W. 103.38 feet to the point of beginning, containing 1,036 square feet, lying and being in the County of Fairfax, Virginia.

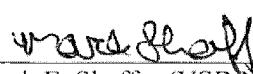
The improvements thereon commonly known as 449 Lawyers Road, NW, Vienna, VA 22180.

The nature of the lien, right or interest sought to be enforced is as follows: In response to Eagle Properties and Investments, LLC's breach of the loan documents and fraud claims against its owners Amit Jain and Monika Jain, Bala Jain brings this action and asserts claims for fraud and conspiracy to commit fraud against Amit Jain, Monika Jain and Daniel Kotz; declaratory judgment and injunctive relief that Bala Jain is granted a constructive trust against the properties that Eagle Properties and Investments, LLC purchased and/or improved with a \$7.5 million loan it fraudulently obtained from Bala Jain; an accounting of the proceeds from the \$7.5 million loan Eagle Properties and Investments, LLC fraudulently obtained from Bala Jain; to disregard and pierce Eagle Properties and Investments, LLC's corporate veil; and breach of contract against Eagle Properties and Investments, LLC.

Plaintiffs claim damages of at least \$7,500,000.00, plus punitive damages and attorneys' fees.

Dated: July 20, 2022

Respectfully submitted,



Mark E. Shaffer (VSB No. 75407)
OFFIT KURMAN
8000 Towers Crescent Drive, Suite 1400
Tysons Corner, Virginia 22182

Telephone: 703.745.1820
Facsimile: 703.745.1835
mark.shaffer@offitkurman.com
Counsel for Plaintiff Bala Jain, LLC

COMMONWEALTH/STATE OF Virginia,
COUNTY/CITY OF Fairfax, to-wit:

I, the undersigned Notary Public, in and for the State and County aforesaid, do hereby certify that Mark E. Shaffer, whose name is signed to the Memorandum of Lis Pendens, has acknowledged the same before me as Notary in my State and County aforesaid.

Given under my hand and seal this 20 July 2022.



Victoria Taylor
Notary Public

CERTIFICATE OF SERVICE

I hereby certify that I have on this 20 July 2022, sent by Federal Express, postage prepaid,
a true copy of the foregoing to:

EAGLE PROPERTIES AND INVESTMENTS LLC

445 Windover Avenue
Vienna, Virginia 22180
Serve:
Monika Jain, Managing Member
445 Windover Avenue
Vienna, VA 22180

MONIKA JAIN

445 Windover Avenue
Vienna, VA 22180

AMIT JAIN

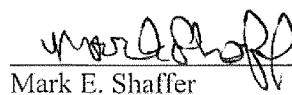
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Vienna, VA 22180

FIRST CLASS TITLE, INC.

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Rockville, Maryland 20850
Serve: Robert Kotz
11505 Hemingway Drive
Reston, Virginia 20194

Daniel Kotz, Esq.

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Rockville, MD 20850



Mark E. Shaffer